

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In re: Andrew Armstrong,

Debtor.

}

}

}

}

}

}

}

Case No. 10-17342

Judge Pat Morgenstern- Clarren

Chapter 7

---

**MOTION TO SHOW CAUSE**

Now comes Debtor, Andrew Armstrong, by and through his counsel, and moves the Court for an order requiring Bass & Associates, (Defendant) to show cause why Sanctions should not be awarded to Debtor for Defendant's violation of the automatic stay.

1. On July 28, 2010 Debtor commenced a voluntary case under chapter 7 of the Bankruptcy Code, by filing a petition that was assigned Case No. 10-17342.

2. This Court has jurisdiction to hear this motion under 28 U.S.C. § 1334, since it arises in that case and is related to it.

3. The HSBC Best Buy was named in Schedule F of Debtors' schedules as an Unsecured Non-priority creditor.

4. An order for relief was entered in this case on July 28, 2010 pursuant to 11 U.S.C. § 301, thus triggering an automatic stay, pursuant to 11 U.S.C. § 362(a), of all debt collection against the Debtor.

5. Defendant in an attempt to collect the debt owed by Debtor to HSBC Best Buy has made several harassing phone calls and also sent numerous collection letters to the Debtor's family home at 33640 Cooley Rd., Columbus Station, Oh 44028.

6. Prior to this collection effort Defendant had notice of Debtor's bankruptcy.  
WHEREFORE, the Plaintiff/Debtor prays that this Court enter an Order:

a. Declaring the Defendant guilty of civil contempt by violating the terms of debtors discharge granted herein on November 15, 2010 for its actions.

- b. Awarding the Plaintiff/Debtor compensatory and punitive damages, plus attorney's fees and costs pursuant to 11 U.S.C. § 362(h); and
- c. Granting Plaintiff/Debtor such additional relief as it deems necessary or proper.

\_\_\_\_\_/s/ Darryl E. Pittman\_\_\_\_\_  
Darryl E. Pittman, Esq. (0034194)  
Pittman Alexander Attorney's  
2490 Lee Blvd, Suite 115  
Cleveland, Ohio 44118  
(216) 291-1005  
Dlawgood450@sbcglobal.net

**CERTIFICATION OF SERVICE**

A true copy of the foregoing Motion to Show Cause was served electronically on Waldemar J Wojcik, Trustee and Edward Bailey, attorney for Bass & Associates and on the following parties by regular U.S. Mail this 25<sup>th</sup> day of May 2011.

Andrew Armstrong  
33640 Cooley Rd  
Columbus Station, Oh 44028

Bass & Associates  
3936 E. Fort Lowell Road, Suite200  
Tucson Arizona, 85712-1083

/s/ Darryl E. Pittman  
Darryl E. Pittman